

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

STUDENTS FOR FAIR ADMISSIONS,)	
INC.,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 1:14-CV-954
)	
THE UNIVERSITY OF NORTH)	
CAROLINA AT CHAPEL HILL, et al.,)	
)	
Defendants.)	

DECLARATION OF TECHNICAL DIFFICULTIES

Please take notice that Defendants was unable to file the following documents in a timely manner due to **Court** technical difficulties:

- Defendants’ Motion *in Limine* to Exclude Evidence Related to So-Called “Paper Classes”
- Brief in Support of Defendants’ Motion *in Limine*
- Declaration of Patrick Fitzgerald in support of Defendants’ Motion *in Limine*

The deadline for filing the motion *in limine* was October 19, 2020. Defendants were unable to file this motion and supporting documents in a timely manner because of an error message received from the Court’s ECF system that would not allow the filing to proceed. Defendants began the filing process at approximately 5:45 p.m. Eastern Time but received an error message. We immediately reached out to the Court’s help desk via telephone and electronic but were unable to reach the Court. Subsequently, Defendants attempted to file using the ECF credentials of Patrick Fitzgerald, Amy Van Gelder, and Lara Flath from

multiple different computers, but none of these attempts were successful and all resulted in the same error message.

Pursuant to Section P of the Court's Electronic Case Filing Administrative Policies and Procedures Manual, I have served exact copies of the documents that Defendants attempted to file electronically using an acceptable alternate means for filing documents in the case of a technical failure by sending them via electronic mail to techfailures@ncmd.us.courts.gov along with this declaration. I have also served this declaration and a Notice of Alternate Means of Filing on counsel for plaintiff Students for Fair Admissions, Inc. and Student-Intervenors.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted this 19th day of October, 2020.

/s/ Lara Flath
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